



Jackson Lewis P.C.
666 Third Avenue
New York NY 10017-4030
Tel 212 545-4000
Fax 212 972-3213
www.jacksonlewis.com

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MY DIRECT DIAL IS: (212) 545-4075

MY EMAIL ADDRESS IS: RYAN.CHAPOTEAU@JACKSONLEWIS.COM

April 3, 2020

VIA ECF

Hon. Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Dakey v. Dahlia, Inc., et al.
Civil Action No.: 1:19-cv-09445 (AT)

Dear Judge Torres:

We are counsel for Defendants in the above-referenced matter. In light of the coronavirus pandemic, Dahlia, Inc., like many other small businesses, was required to permanently close on March 19, 2020. As a flower shop, it is a non-essential business that is legally mandated to stay closed for the foreseeable future. While the parties reached a settlement still pending approval by Your Honor, it is an impossibility for Defendants to abide by the financial terms of the proposed settlement even if Your Honor grants approval due to this unprecedented crisis. We have communicated Defendants' economic condition to opposing counsel but have been unable to come to an agreement on a modified resolution.

As opposing counsel has not consented to this proposal, Defendants believe a third-party is necessary to assist the parties renegotiate an agreement during these extraordinary times. Accordingly, Defendants respectfully request that Your Honor assign this matter to a Magistrate Judge for the purposes of a settlement conference or direct the parties to participate in the Court's mediation program. We are available if Your Honor wishes to schedule a teleconference to discuss further.

Thank you very much for your consideration.

Respectfully submitted,
JACKSON LEWIS P.C.

s/Ryan C. Chapoteau
Ryan C. Chapoteau

cc: Counsel of Record (*via ECF*)